

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of  
Damon A. Baxter, dba Dependable Moving  
Services, for a Permit to Operate as a Household  
Goods Carrier.

Application 02-09-004  
(Filed September 4, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
CONCERNING SETTING OF PREHEARING CONFERENCE**

Damon A. Baxter, dba Dependable Moving Services, filed this matter on September 4, 2002 after the Commission's Consumer Protection and Safety Division (Staff) refused to issue him a permit to operate as a household goods mover. The basis of the refusal was contained in a letter to Baxter dated April 8, 2002. That letter indicated that there are several convictions of Baxter that were not disclosed in his permit application. Baxter was told he could file a formal application for a permit, which resulted in the application now before us.

On October 4, 2002 the Staff filed a protest to the application. Since that time the Calendar Clerk has been attempting to contact Baxter in order to set a Prehearing Conference. Many calls have been made to the number contained in the application and messages left on the answering machine. To date there has been no response from Baxter.

The Calendar clerk is instructed to continue attempting to contact Baxter. If there is no response from him within one week of this order I shall begin the process of dismissing the application for failure to prosecute.

In its protest Staff alleges that Baxter is currently operating as a household Goods Mover without authority from this Commission. Without making any finding on this assertion I remind Baxter that he is not permitted to operate as a household goods mover until such time as the Commission grants him authority to begin operations.

**IT IS RULED** that:

1. The Calendar Clerk shall continue to attempt to schedule a Prehearing Conference on this matter.
2. If there is no response from Baxter after one week from the date of this order, I shall begin the process of dismissing the application for failure to prosecute.

Dated October 31, 2002, at San Francisco, California.

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/s/ Sheldon Rosenthal  
Sheldon Rosenthal  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Concerning Setting of Prehearing Conference on all parties of record in this proceeding or their attorneys of record.

Dated October 31, 2002, at San Francisco, California.

/s/ Antonina V. Swansen

Antonina V. Swansen

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.